



News Release

IDAHO DEPARTMENT OF WATER RESOURCES

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Release 2002-49

IDWR ISSUES NOTICE OF VIOLATION, SEEKS PENALTIES FOR UNAUTHORIZED USE OF ADA COUNTY GROUNDWATER

For Immediate Release
Boise, Idaho - Aug. 2, 2002

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State water rights managers have issued a notice of violation to two Ada County men for failing to comply with conditions of a water right to divert and use ground water for supplemental irrigation pumping, the Department of Water Resources announced today.

An on-sight inspection in mid-July by IDWR water right agents established that that Leroy E. Brandt of Meridian and Brad Janicek of Boise were using ground water from a well to irrigate 103.5 acres of land in western Ada County near the intersection of Chinden Boulevard and Linder Road.

Water right records for the property revealed that the well was a supplemental irrigation well and could only be used when a full supply of surface water was not available. At the same time, the Settlers Irrigation District confirmed that approximately 2.07 cubic feet per second of water (approximately 1.34 million gallons per day) was available for use on the same property from the District's canal system.

IDWR water rights agents had earlier confirmed in mid-May that water was being pumped from the well. At that time Janicek was cautioned that it was illegal to use ground water from a supplemental well while a full supply of canal water was available. He was advised to stop any further pumping from the well until Settlers Irrigation District started to reduce canal water deliveries.

In early July IDWR received complaints that the well was being used again. A visit to the site on July 18 confirmed ground water was being pumped to irrigate the land. Settlers Irrigation District confirmed a full supply of canal water was available for use for the same property. Maximum civil penalty under state law for unauthorized use of water is \$300 per acre.

Brandt and Janicek have two weeks in which to request a meeting with IDWR water managers to discuss the violation.